

HEATHER E. WILLIAMS, State Bar No. 122664
Federal Defender

DAVID HARSHAW, KY State Bar No. 86435
Capital Habeas Unit Supervisor

KARL SADDLEMIRE, State Bar No. 275856
Assistant Federal Defender

801 I Street, 3rd Floor
Sacramento, California 95814

Telephone: (916) 498-6666

Fax: (916) 498-6656

E-mail: David_Harshaw@fd.org

Attorneys for Petitioner

XAVIER BECERRA, State Bar No. 118517

Attorney General of California

SEAN M.MCCOY, State Bar No. 182516

Deputy Attorney General

PETER H. SMITH, State Bar No. 138957

Deputy Attorney General

DARREN K. INDERMILL, State Bar No. 252122

Supervising Deputy Attorney General

ROSS K. NAUGHTON, State Bar No. 254926

Deputy Attorney General

1300 I Street, Suite 125

P.O. Box 944255

Sacramento, CA 94244-2550

Telephone: (916) 210-7680

Fax: (916) 324-2960

E-mail: Peter.Smith@doj.ca.gov

Attorneys for Respondent

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

JEFFREY JAY HAWKINS,

Petitioner,

v.

RON DAVIS, Warden of the
California State Prison at San Quentin,

Respondent.

) No. 2:96-cv-1155-TLN-JDP

) **DEATH PENALTY CASE**

) **STIPULATED REQUEST TO EXTEND**
) **TIME TO PROVIDE NOTICE OF**
) **PETITIONER'S DEATH AND TO MOVE**
) **TO DISMISS AND ORDER**

1 The parties jointly ask the Court to enter an Order granting an extension of time for
 2 Petitioner to provide notice of Mr. Hawkins' death and to move to dismiss the instant
 3 proceedings. The Court previously requested that Petitioner reply within thirty days of its prior
 4 Order, or no later than November 16, 2020. ECF 282. The parties request an additional thirty
 5 (30) days for leave to file Mr. Hawkins' notice and motion to dismiss, to be due December 16,
 6 2020. A copy of the proposed Order extending the deadline is attached hereto.

7 This request was initiated by Petitioner. Petitioner's reasons are set forth in the attached
 8 declaration of counsel.

9
 10 DATED: November 16, 2020

Respectfully submitted,

11 HEATHER E. WILLIAMS
 12 Federal Defender

13 /s/ David Harshaw
 14 DAVID HARSHAW
 Capital Habeas Unit Supervisor

15 /s/ Karl Saddlemire
 16 KARL SADDLEMIRE
 Assistant Federal Defender

17 Attorneys for Petitioner
 18 JEFFREY JAY HAWKINS

19 XAVIER BECERRA
 Attorney General of California

20 SEAN M. MCCOY
 21 Deputy Attorney General

22 /s/ Peter H. Smith
 23 PETER H. SMITH

24 /s/ Darren K. Indermill
 25 DARREN K. INDERMILL
 Supervising Deputy Attorney General

26 /s/ Ross K. Naughton
 27 ROSS K. NAUGHTON
 Deputy Attorney General


28 Attorneys for Respondent
 RON DAVIS, WARDEN AT SAN QUENTIN

ORDER

Good cause appearing, the court adopts the parties' stipulation as its order. Accordingly, it is hereby ORDERED that petitioner's notice of Mr. Hawkins' death and motion to dismiss will be due no later than December 16, 2020.

IT IS SO ORDERED.

Dated: November 17, 2020


JEREMY D. PETERSON
UNITED STATES MAGISTRATE JUDGE